

# In the Indiana Supreme Court

Cause No. 21S-MS-19



## Order Amending Indiana Rules of Trial Procedure

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, the Indiana Rules of Trial Procedure are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

...

### Rule 5. Service and Filing of Pleadings, Documents, and Other Papers

...

**(B) Service: How made.** Whenever a party is represented by an attorney of record, service shall be made upon such attorney unless service upon the party is ordered by the court. Service upon the attorney or party shall be made by delivering or mailing a copy of the papers to the last known address, or where service is by electronic means approved by the Indiana Office of Judicial Administration (IOJA)~~FAX or e-mail~~, ~~by faxing or e-mailing~~ a copy of the documents to the fax number or e-mail address set out in the appearance form or correction as required by Rule 3.1(E).

...

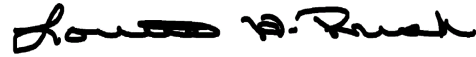
- (3) Service by electronic means~~FAX or e-mail~~.
- (a) Electronic S~~ervice by e-mail~~ from the Clerk. The Clerk may transmit notice of ~~all~~ rulings, orders, or judgments required by Trial Rule 72(D) by electronic means approved by IOJA~~e-mail~~ to ~~all~~ parties represented by attorneys and to ~~all~~ unrepresented parties who have supplied the Court with an e-mail address for service. The transmission may include a link to or copy of the ruling, order, or judgment.~~Where a copy of a written ruling, order, or judgment is being transmitted by e-mail, service may be made by including a link to the document or by attaching the document being served to the e-mail in .pdf format.~~
- (b) Electronic S~~ervice by FAX or e-mail~~ from other parties. A party who has consented to service by electronic means approved by IOJA~~FAX or e-mail~~ may be served by transmitting a link to or copy of~~attaching~~ the document ~~being served to an e-mail in .pdf format~~. Discovery documents must also be served in accordance with Trial Rule 26(A.1).
- (c) Completion of electronic service ~~by FAX or email~~. Service by electronic means approved by IOJA~~FAX or e-mail~~ shall be deemed complete upon transmission. Service that occurs on a Saturday, Sunday, a legal holiday, or a day the court or agency in which the matter is pending is closed, or after 5:00 p.m. local time of the recipient shall be deemed complete the next day that is

not a Saturday, Sunday, a legal holiday, or a day the court or agency in which the matter is pending is not closed.

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This amendment is effective January 1, 2022.

Done at Indianapolis, Indiana, on 10/29/2021.



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Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.